

Exhibit 2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: VOLKSWAGEN 'CLEAN DIESEL'
MARKETING, SALES PRACTICES, AND
PRODUCTS LIABILITY LITIGATION

MDL 2672 CRB (JSC)

Case No.:

This Document Relates to:

ALL CONSUMER ACTIONS

CONSUMER PLAINTIFF FACT SHEET

The following questions are to be treated as interrogatories pursuant to Federal Rule of Civil Procedure 33.

Prefatory Statement

Plaintiff has not fully completed investigation of the facts relating to this claim, and has not completed all necessary discovery or preparation for trial. All of the responses contained herein are based only upon information and documents that are presently available to and specifically known to Plaintiff and Plaintiff's counsel, agents, and representatives.

The following responses are given without prejudice to Plaintiff's right to produce evidence of any subsequently remembered or discovered facts. Plaintiff accordingly reserves the right to change, amend, or add to any and all responses herein as additional facts are ascertained, analyses are made, legal research is completed, memories are recalled, and contentions are made. The responses contained herein are made in a good faith effort to supply as much factual information and as much specification of factual and legal contentions as are presently known. Plaintiff's responses are governed by the confidentiality protections set forth in Pretrial Order No. 12: Stipulated Protective Order [Dkt. 1255]. Pursuant to Pretrial Order No. 9 [Dkt. 1252], all objections to the admissibility of information contained in or provided with the Plaintiff Fact Sheet ("PFS") are reserved and, therefore, no objections need be lodged in the responses to the questions and requests contained in the PFS.

Definitions

A. "Subject Vehicle" is defined as the vehicle that serves as the basis for Plaintiff's claims in this lawsuit. If Plaintiff's claims involve more than one Subject Vehicle, Plaintiff should address each Subject Vehicle in the responses to questions pertaining to a Subject Vehicle.

I. CASE INFORMATION

1. Name: _____
2. Date of Birth: _____
3. Address: _____
4. Male ☐ Female ☐
5. Are you completing this Fact Sheet in a representative capacity (*e.g.*, on behalf of the estate of a deceased person, or an incapacitated individual, or a minor claiming the damages or injury on which this lawsuit is based)?

Yes ☐ No ☐
6. What is your relationship to the represented individual? _____
7. Were you appointed by the court?

Yes ☐ No ☐

If you are completing this Fact Sheet in a representative capacity, please respond to the remaining questions with respect to the person who you are representing. If the individual is deceased, please respond as of the time immediately prior to his or her death unless a different time period is specified. For the remaining questions of the Fact Sheet, “you” or “your” means the person who is claiming damage or injury in this matter.

If you are not completing this Fact Sheet in a representative capacity, please continue to respond to the remaining questions for yourself.

II. PERSONAL INFORMATION

8. Your Name: _____
9. Male ☐ Female ☐
10. Your maiden or other names used or by which you have been known during the last ten (10) years and the dates during which you were known by such names.

11. List the address at which you have resided during the last ten (10) years and the time period in which you resided at each location, beginning with your current address:

Current Address: _____ Dates: _____

Previous Address #1: _____ Dates: _____

Previous Address #2: _____ Dates: _____

Previous Address #3: _____ Dates: _____

12. Last Four Digits of Your Social Security Number: _____

13. Driver's License:

a. Number: _____

b. State of Issuance: _____

c. Date of First Issuance: _____

14. Marital Status: Are you currently married?

Yes ☐ No ☐

a. If yes, please list your spouse's name and state how long you have been married:

15. Educational Background: List any schools or training you received beyond high school, the dates of attendance, your major or the type of training you received, and the degree or certificate received, and the date each was obtained. If you are a minor, list all grade schools attended and the highest grade level reached.

Name of School/Training	Dates Attended	Major/Degree/Certificate	Date Obtained

16. Military Service: Have you ever served in any branch of the military?

Yes ☐ No ☐

a. If yes, please provide the branch and dates of service, and indicate whether you were honorably discharged. _____

17. Employment History: Are you currently employed?

Yes ☐ No ☐

- a. If yes, identify your current employer and position.

III. PREVIOUS LEGAL MATTERS

18. Have you been convicted of a felony within the last ten (10) years?

Yes ☐ No ☐

19. Have you been convicted of a misdemeanor within the last ten (10) years?

Yes ☐ No ☐

20. If you answered “yes” to question nos. 10 or 11 above, please identify the charge for which you were convicted, the court which you were convicted, the criminal action number assigned to the case, and the sentence imposed.

21. Have you ever been a named plaintiff in a class action lawsuit other than in this case?

Yes ☐ No ☐

If yes, identify the Court, the case name, and the names of adverse parties, and the civil action number if filed. _____

22. Outside of Volkswagen's, Audi's, and Porsche's "Goodwill" Program, have you been compensated in any way, either in whole or in part, either in money or in-kind, for the damages you have alleged in this matter:

Yes ☐ No ☐

- a. If yes, identify the type of compensation, amount of compensation, source of compensation, and date of compensation for any and all that you received.

23. Other than this case, are you aware of any other non-personal injury case or claim concerning the Subject Vehicle?

Yes ☐ No ☐

- a. If yes, identify the other persons or entities against whom the non-personal injury claim was made or lawsuit was filed, the date of the claim or lawsuit, where the claim or lawsuit was filed, and the status of the claim or lawsuit.

24. Identify every person and/or entity with a financial interest in the claims asserted in this lawsuit, including but not limited to lien holders or co-owners of the Subject Vehicle. (Please exclude reference to other purported class actions involving these matters.)

IV. VEHICLE INFORMATION

25. Provide the Make, Model, and Model Year for the Subject Vehicle:

MAKE: _____ **MODEL:** _____ **YEAR:** _____

26. Provide the Vehicle Identification Number (VIN) for the Subject Vehicle:

27. Provide the current license plate number and state of registration for the Subject Vehicle:

28. Identify the registered owner(s) of the Subject Vehicle: _____

29. Identify the last three (3) vehicles that you purchased or leased before you purchased or leased the Subject Vehicle. For each vehicle identified, please provide the make, model, year, seller or lessor, and the date of purchase or lease, and state whether the vehicle was new or used when you purchased or leased it.

30. Do you currently own or lease any vehicles aside from the Subject Vehicle?

Yes ☐ No ☐

a. If yes, identify the make, model, year, seller or lessor, and approximately date of purchase or lease, and state whether the vehicle was new or used when you purchased or leased it.

31. When did you acquire the Subject Vehicle? _____

32. Did you purchase or lease the Subject Vehicle? Purchase ☐ Lease ☐

33. Identify the name and location of the seller or lessor of the Subject Vehicle:

34. Was the Subject Vehicle new or used when you acquired it? New ☐ Used ☐
- a. If used, list the owners of the Subject Vehicle that you are aware of other than yourself (name and address if known), beginning with the first purchaser and ending with the current owner(s), including co-buyers; and the date on which each one acquired the Subject Vehicle.
- _____
- _____
- _____
- _____
35. If the Subject Vehicle was used when you acquired it, please state the mileage of the Subject Vehicle when you acquired it: _____
36. If the Subject Vehicle was used when you acquired it, please identify any repairs or modifications to the Subject Vehicle that you are aware of, which were made prior to your acquisition of the Subject Vehicle. _____
- _____
- _____
37. If you purchased the Subject Vehicle, what was the base purchase price of the vehicle, excluding taxes, registration, and other related purchase costs? _____
38. If you leased the Subject Vehicle, what were the terms of payment for your lease, excluding taxes, registration, and other related lease costs? _____
- _____
- _____
39. If you leased the Subject Vehicle, when does the lease expire? _____
40. What is the total amount of additional expenses you incurred at the time you acquired the Subject Vehicle (e.g., taxes, registration costs, warranty costs, etc.)? _____
- _____
- _____
41. Did you finance the purchase or lease of the Subject Vehicle? Yes ☐ No ☐

42. If you financed the Subject Vehicle, identify any current or prior lien holders on the vehicle: _____
43. Do you still possess the Subject Vehicle? Yes ☐ No ☐
44. If you no longer possess the Subject Vehicle, describe the transaction in which you sold, traded-in, or otherwise relinquished it, including the state and location, price (if applicable), and the name and location of any person or business to which you sold, traded-in, or otherwise relinquished the vehicle.
- _____
- _____
- _____
45. If you still possess the Subject Vehicle, state where the Subject Vehicle is currently located, the date on which the Subject Vehicle was last driven, and the current mileage on the Subject Vehicle.
- a. Location of Subject Vehicle: _____
- b. Date Subject Vehicle Last Driven: _____
- c. Current Mileage of Subject Vehicle: _____
46. Identify all documents you are aware of related to testing of the emissions of the Subject Vehicle, including any emissions inspections or certificates issued in accordance with a state vehicle emissions inspection program.
- _____
- _____
47. Describe how the Subject Vehicle is or was used, including who drove it (owner, children, spouse, etc.), approximately how far it was driven daily, and on what types of roads it was driven (interstates, surface roads, both, etc.).
- _____
- _____
- _____

48. Did you receive a written warranty with the Subject Vehicle?

Yes ☐ No ☐

a. If yes, please list the warranty(ies).

49. At the time you purchased the Subject Vehicle or at any time thereafter, did you purchase an optional extended warranty or vehicle service agreement for the Subject Vehicle?

Yes ☐ No ☐

50. Identify all carriers that have received or paid out insurance claims related to the Subject Vehicle. For each carrier, state the carrier's name, the policy number under which the claim was received or paid out, and the name of the policy holder.

V. RESEARCH ON SUBJECT VEHICLE BEFORE ACQUISITION

51. Did you research the Subject Vehicle before purchasing or leasing the vehicle?

Yes ☐ No ☐

a. If yes, describe the efforts to research the Subject Vehicle that you recall, including what information sources you consulted and what information you learned from such sources concerning (i) emissions, (ii) fuel efficiency, (iii) performance or durability, and (iv) resale value.

52. Identify any dealers, sales representatives, or other persons with whom you discussed the Subject Vehicle and describe the representations made about the Subject Vehicle by such person(s) that you recall.

53. Identify any print advertisements for the Subject Vehicle that you recall viewing prior to acquisition.

54. Identify any online, mobile, or other electronic advertisements or commercials (*e.g.* online videos, website banners, etc.) for the Subject Vehicle that you recall viewing prior to acquisition.

55. Identify any television, radio, or podcast advertisements or commercials for the Subject Vehicle that you recall viewing or hearing prior to acquisition.

56. Identify any hard copy or electronic promotional materials you recall receiving about the Subject Vehicle prior to acquisition.

57. Identify any hard copy or electronic brochures for the Subject Vehicle that you recall reviewing prior to acquisition.

58. Identify any billboards, banners, or other signage about the Subject Vehicle that you recall viewing prior to acquisition.

59. Identify any documents, advertisements, memoranda, reviews, or other materials that you recall reviewing about the Subject Vehicle prior to acquisition.

VI. MAINTENANCE HISTORY

60. To your knowledge, has the Subject Vehicle's exhaust system, or any components thereof, ever been repaired or replaced outside of an official recall performed by a Volkswagen, Audi, or Porsche authorized dealer?

Yes ☐ No ☐

- a. If yes, to the extent known, please identify what modifications and/or alterations were made or accessories added, by whom, on what date and the reason for such modifications, alterations, and/or accessory components.

VII. DAMAGES

61. Identify all losses or out of pocket expenses that you incurred after learning that the Subject Vehicle was equipped with an emissions defeat device (e.g., expenses for repairs, alternative transportation, towing, etc.).

62. Did you change your driving habits with respect to the Subject Vehicle at any time because of the facts and circumstances alleged in this lawsuit?

Yes ☐ No ☐

- a. If yes, please describe such a change in driving habits, including any period of time in which you stopped driving the Subject Vehicle: _____

- b. If you used alternative transportation because of the facts and circumstances alleged in this lawsuit, describe what alternative transportation you used and the cost of such alternative transportation, if any: _____

63. Have you attempted to sell, trade in, or otherwise dispose of the Subject Vehicle after September 18, 2015?

Yes ☐ No ☐

64. If you attempted to sell, trade in, or otherwise relinquish the Subject Vehicle, please identify:

- a. If applicable, the efforts you undertook to sell or otherwise relinquish the Subject Vehicle, including all online, mobile, print, or other advertising:

-
-
- b. If applicable, any offers made on the Subject Vehicle, including the date, amount, and party making the offer:

-
-
- c. If applicable, any dealership you communicated with about a trade-in, and the trade-in value offered by any dealership.

-
-
- d. If applicable, the date of sale or trade-in, how it was sold or traded in, any counter-party to the sale or trade-in, any money or other consideration received in exchange for the Subject Vehicle, the mileage on the date of sale or disposal, and the condition of the vehicle at the time of sale or disposal:

65. Do you claim that the Subject Vehicle's value has been diminished?

Yes ☐ No ☐

- a. If yes, describe the basis for that claim.

66. If you attempted to sell the Subject Vehicle on or after September 18, 2015, did any potential buyers rescind their offer?

Yes ☐ No ☐

- a. If yes, describe the basis for that rescindment:

67. If you have sold the Subject Vehicle, do you claim a loss upon the resale of the vehicle?

Yes ☐ No ☐

- a. If yes, describe the basis for that loss upon resale:

68. If you leased your Subject Vehicle, did you terminate your lease early?

Yes ☐ No ☐

- a. If yes, what amount did you pay to terminate the lease? _____

69. Other than your counsel, the parties to this litigation, and individuals previously identified, please identify any individuals you are aware of who possess knowledge of the facts and circumstances regarding your Subject Vehicle as alleged in your specific paragraph from the Individuals and Representatives Plaintiffs section of the Consolidated Consumer Class Action Complaint. Please identify the name, address (if known), and relationship of any such person to you, if applicable, and provide a brief description of such person's knowledge.

70. If you sold the Subject Vehicle or terminated your lease on the Subject Vehicle on or after September 18, 2015, please state why:

VIII. OTHER COMMUNICATIONS

71. Identify any communications, presentations and/or submissions that you are aware of that have been made by you, or on your behalf or non-privileged by your counsel to any state or federal government official or representative, or any state or federal regulatory body (e.g. EPA) or any departments, divisions, staff members or technical experts or personnel of any state or federal government or regulatory body regarding the Subject Vehicle or any Class Vehicles and involving the issue of emissions and/or your claims. Please include the date of the communication, presentation and/or submission, the form in which it was made, to whom it was made, and whether you received a response and if so, from whom.

72. Have you or someone on your behalf blogged, uploaded or posted any information or videos regarding the Subject Vehicle, the allegations made in this matter, and/or your injuries and damages to web pages, social networking sites, blog sites or the Internet?

Yes ☐ No ☐

- a. If yes, please identify the blog, web page, internet site or social networking site, when the posting or uploading or blogging was done, and your service provider.

DECLARATION

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that all the information provided in this Fact Sheet is true and correct to the best of my knowledge, information and belief formed after a reasonable inquiry.

Date: _____

Signature: _____

Name: _____

Addendum: Proposed Modifications to PSC Plaintiff Fact Sheet

Revised Prior Questions

40. What is the total amount of additional expenses you incurred at the time you acquired the Subject Vehicle (e.g., taxes, registration costs, warranty costs, etc.)? [Also provide an item-by-item breakdown of such expenses.](#)

49. At the time you purchased the Subject Vehicle or at any time thereafter, did you purchase an optional extended warranty or vehicle service agreement for the Subject Vehicle?

Yes ☐ No ☐

a. [If yes, identify the insurance provider and provide details about the cost.](#)

New Questions

1. Was the Subject Vehicle used for any business or work purposes?

Yes ☐ No ☐

- a. If yes, please describe how the Subject Vehicle was used for business or work purposes. For example, how was the vehicle used for these purposes, by whom, and how frequently?

- b. If yes, have you or others in your household claimed reimbursements or other tax benefits for the business or work use of the Subject Vehicle?

Yes ☐ No ☐

2. Identify any tax credit or deduction that you or someone in your household have claimed in connection with your purchase and/or use of the Subject Vehicle, and the amount of any such credit or deduction that was received.

3. Aside taxes paid at the time of purchase, identify any other taxes that you paid based on the value of your Subject Vehicle.

4. Have you ever acquired any part, component, or software the effect of which is to modify in any way the emissions or engine control software, systems, devices, or elements of design on your Subject Vehicle?

Yes ☐ No ☐

- a. If yes, please (1) identify the part, component, or software, when and where you acquired it, and the price paid for it, (2) explain your reason for acquiring it, and (3) state whether and, if so, when it was installed on or applied to your Subject Vehicle.
